

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

Case No. *07-10375-JLT*

v.)

VIOLATIONS:

18 U.S.C. §1030(a)(2)(C) (Exceeding Authorized
Access to Computer System)

BARBARA DENENBURG,
Defendant.)

18 U.S.C. §1029(a)(2) (Access Device Fraud)

18 U.S.C. §876(c) (Mailing Threatening
Communications)

INDICTMENT

The Grand Jury charges:

INTRODUCTION

At all times relevant to the charges in this Indictment:

1. BARBARA DENENBURG lived in Philadelphia, Pennsylvania.
2. Tele-Publishing International ("TPI"), a personal advertisement company in Massachusetts, is a subsidiary of the Phoenix Media Communications Group and is located in Boston, Massachusetts. TPI provides voice personal ad services for hundreds of newspapers throughout the country.
3. The personal ads appear in the newspapers, but to respond to the ad, a reader calls a phone number at TPI and leaves a voicemail message for the person who placed the ad. People placing an ad, who TPI refers to as "members," are assigned a six digit voicemail box number, which is then referenced by people responding to the ad. TPI assures its members that their voicemail boxes are private, anonymous and secure. Members can access their boxes with their six digit voicemail box number and a four digit password.
4. TPI charges people for the time that they spend using the company's voicemail

system. People using TPI's voicemail system can either pay for their time on the system with a credit card or they can buy prepaid blocks of time, called "PIN time," which they can access with a five digit access code, or "PIN."

5. All calls to TPI are handled by the same computer voicemail system, located in Massachusetts.

6. DENENBURG used TPI's personal ad services in an attempt to meet gay women. From June 2007 to October 2007, she also accessed the voicemail boxes of more than 200 TPI members without authorization; she changed the passwords for more than 40 of these voicemail boxes; and she changed the greetings for at least 25 of them.

7. DENENBURG did much of this without paying for the time she spent on TPI's system. Instead, she used PIN time that she had fraudulently obtained. DENENBURG's intrusion into TPI's computer systems and her PIN time fraud cost TPI a combined total of approximately \$80,000.

8. DENENBURG also used her unauthorized access to TPI members' voicemail boxes and her fraudulently-obtained PIN time to harass a series of women who had placed ads through TPI. One of these is a Massachusetts woman, who DENENBURG began harassing over the telephone but to whom DENENBURG ultimately mailed a series of death threats.

EXCEEDING AUTHORIZED ACCESS TO TPI SYSTEM

9. By at least June 2007, DENENBURG began exceeding authorized access to TPI's computer system by accessing other members' voicemail boxes without permission from the members or from TPI.

10. One way that she did this was by taking advantage of a feature on TPI's system that allowed members who forgot the password for their voicemail box to look up the password by

entering their date of birth. DENENBURG was able to determine the member's month of birth from information publicly available on TPI's system – the member's age and zodiac sign. She then repeatedly guessed dates within that month until she found the correct date of birth, which allowed her to successfully request the member's password. DENENBURG obtained unauthorized access to the private voicemail boxes of more than 200 TPI members and regularly listened to private messages left for the members.

11. When she did not receive positive responses to dating voicemails that she left for TPI members, DENENBURG used her unauthorized access to TPI's system to retaliate. She changed the passwords for more than 40 boxes, making it impossible for the members to get access to their own boxes. In at least 25 instances, DENENBURG used her unauthorized access to record new greetings for the voicemail boxes. In some cases she used her natural voice to record these greetings, while in others, she adopted an accent and pretended to be a man. She also often changed the greeting from that of a woman looking to meet other women to that of a man seeking other men.

PIN TIME FRAUD

12. DENENBURG was able to spend significant amounts of time listening to, and leaving, messages on TPI's voicemail system without paying for this time. She did this by fraudulently using blocks of PIN time that belonged to other TPI members or that had never been paid for by any member.

13. DENENBURG fraudulently obtained this PIN time by repeatedly guessing combinations of numbers until she found a sequence that TPI's computer system recognized as the PIN for an unused block of time. She then used that PIN to make calls to the TPI voicemail system. When she exhausted the unused time on one PIN, DENENBURG repeated the guessing process until

she found another.

14. Overall, DENENBURG was able to fraudulently obtain approximately \$9,000 worth of PIN time for which she did not pay.

THREATENING COMMUNICATIONS

15. DENENBURG started speaking to a TPI member named Wendy, from Massachusetts, on June 28, 2007, after answering Wendy's personal ad. In the weeks before they first spoke, however, DENENBURG had accessed Wendy's TPI voicemail box, unbeknownst to Wendy. The pair spoke frequently throughout July and August, 2007, and Wendy provided DENENBURG with a lot of personal information, including her home address.

16. On several occasions during August and September 2007, DENENBURG learned that Wendy was spending time with other women. During these periods, she began harassing Wendy by repeatedly calling her on the telephone. DENENBURG threatened that Wendy would be terminated from her job, would lose money, and would be arrested and executed.

17. DENENBURG also left voicemail messages for at least 17 TPI members, claiming to be a "federal detective," stating that Wendy had committed hundreds of crimes (including murder), and instructing the members to have nothing to do with Wendy.

18. On October 2, 2007, DENENBURG sent a U.S. Postal Service Express Mail envelope from Philadelphia, Pennsylvania to Wendy in Massachusetts. DENENBURG did not list herself as the sender; instead, she listed the sender as S.O.B.S., the acronym for a personal ad service called South of Boston Singles, which uses TPI, and through which Wendy had placed personal ads. Inside the envelope were greeting cards, covered with white printed labels reading, among other things: "You are a psychokiller. Everyone saw what you did on the news. You are the ugliest thing ever

seen. You'll be put to death soon!!!"

19. Also inside this Express Mail envelope was a card, which had been partially ripped up, and which Wendy recognized as one she had sent, in August, to DENENBURG, who used the alias "Bonnie" in her dealings with Wendy and many other TPI members. The labels on the card stated, among other things, "The name is Bonnie, stupid. Bonnie told you never to call her Barbara because it was never her real name."

20. On October 12, 2007, DENENBURG sent an Express Mail package from Cinnaminson, New Jersey, a Philadelphia suburb, to Wendy, in Massachusetts. The return address on this package was "Multiple Sclerosis Foundation." The package consisted of a box filled with dirt. Planted on the dirt was a piece of cardboard, shaped like a tombstone, on which was written "RIP, Wendy [last name; date of birth] to Oct 20, 2007, Hated by all women of S.O.B.S. and all women everywhere."

COUNTS ONE-THREE

(Exceeding Authorized Access to Computer System)
18 U.S.C. §1030(a)(2)(C)

21. The Grand Jury realleges and incorporates by reference paragraphs 1-20 of this Indictment, and further charges that:

22. On or about the dates set out below, in the District of Massachusetts and elsewhere,

BARBARA DENENBURG

intentionally exceeded authorized access, and thereby obtained information from a protected computer – specifically, TPI's computer voicemail system – and this conduct involved interstate communications, as follows:

COUNT	DATE(S)	COMPUTER ACCESS
1	6/9/07-9/17/07	DENENBURG, in Pennsylvania, accessed voicemail box 158218 on TPI computer voicemail system in Massachusetts.
2	6/20/07-7/20/07	DENENBURG, in Pennsylvania, accessed voicemail box 864412 on TPI computer voicemail system in Massachusetts.
3	8/30/07	DENENBURG, in Pennsylvania, accessed voicemail box 219799 on TPI computer voicemail system in Massachusetts.

All in violation of 18 U.S.C. §1030(a)(2)(C).

COUNT FOUR
(Access Device Fraud)
18 U.S.C. §1029(a)(2)

23. The Grand Jury realleges and incorporates by reference paragraphs 1-20 of this Indictment, and further charges that:

24. From June 2007 through September 2007, in the District of Massachusetts and elsewhere,

BARBARA DENENBURG

knowingly, and with intent to defraud, used at least one unauthorized access device – specifically, PIN's for blocks of time on the TPI voicemail system – during a one-year period, and by such conduct obtained something of value aggregating \$1,000 or more during that period.

All in violation of 18 U.S.C. §§1029(a)(2).

COUNTS FIVE-SIX
(Mailing Threatening Communications)
18 U.S.C. §876(c)

25. The Grand Jury realleges and incorporates by reference paragraphs 1-20 of this Indictment, and further charges that:

26. On or about the dates set out below, in the District of Massachusetts and elsewhere,

BARBARA DENENBURG

knowingly deposited in a post office and authorized depository for mail matter, to be sent or delivered by the Postal Service, and knowingly caused to be delivered by the Postal Service according to the direction thereon, a communication, with or without a name or designating mark subscribed thereto, addressed to another person containing a threat to injure the person of the addressee or of another, as set forth below:

COUNT	DATE	THREATENING COMMUNICATION
5	10/2/07	Express Mail envelope from DENENBURG, in Philadelphia, Pennsylvania to Wendy, in Massachusetts, containing a card stating, among other things, "You'll be put to death soon!!!"
6	10/12/07	Express Mail package from DENENBURG, in Cinnaminson, New Jersey, to Wendy, in Massachusetts, consisting of a box filled with dirt and a cardboard tombstone, on which was written "RIP, Wendy [last name; date of birth] to Oct 20, 2007, Hated by all women of S.O.B.S. and all women everywhere."

All in violation of 18 U.S.C. §876(c).

A TRUE BILL

Leo Elusson

Foreperson of the Grand Jury

[Signature]
Adam J. Bookbinder
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS

November 14, 2007

Returned into the District Court by the Grand Jurors and filed.

[Signature]
Deputy Clerk
2:20 P.